

# EXHIBIT C

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20 *Attorneys for Defendants*

21 **SUPERIOR COURT OF THE STATE OF CALIFORNIA  
22 COUNTY OF SANTA CLARA  
23 UNLIMITED CIVIL JURISDICTION**

24 PALANTIR TECHNOLOGIES INC.,

25 Case No. 16CV299476

26 Plaintiff,

27 **NOTICE OF ENTRY OF ORDER**

28 v.

29 MARC L. ABRAMOWITZ, in his individual  
30 capacity and as trustee of the MARC  
31 ABRAMOWITZ CHARITABLE TRUST NO.  
32 2, KT4 PARTNERS LLC, and DOES 1  
33 through 50, inclusive,

34 Defendants.

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on September 4, 2018, the Court entered an Order  
3 Continuing the Stay of Discovery. A copy of the Order is attached as Exhibit A.

4

5 Dated: September 4, 2018

Respectfully submitted,

6

7 By: William J. Ruby  
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19 *Attorneys for Defendants*

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**F T L E D**  
**(ENDORSED)**  
SEP 04 2018

Clerk of the Court  
Superior Court of CA County of Santa Clara  
BY Julie Nashed DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SANTA CLARA  
UNLIMITED CIVIL JURISDICTION**

PALANTIR TECHNOLOGIES INC.,

Case No. 16CV299476

Plaintiff,

v.

MARC L. ABRAMOWITZ, in his individual capacity and as trustee of the MARC ABRAMOWITZ CHARITABLE TRUST NO. 2, KT4 PARTNERS LLC, and DOES 1 through 50, inclusive,

Defendants.

**ORDER CONTINUING THE STAY  
OF DISCOVERY**

Date: May 18, 2018/June 15, 2018

Time: 10:00 a.m.

Dept. 9

Judge: Hon. Mary E. Arand

Complaint filed: September 1, 2016

Trial date: not set

1 The motion by Defendants for an order continuing the stay on discovery came on for  
 2 hearing before the Honorable Mary E. Arand on May 18, 2018, was continued to June 18, 2018 in  
 3 Department 9. The parties were allowed to provide supplemental briefing, with the last submission  
 4 received by the Court on June 22, 2018. The matter having been submitted, the Court orders as  
 5 follows:

6 **ORDER CONTINUING THE STAY OF DISCOVERY**

7 WHEREAS, Defendants Marc Abramowitz, KT4 Partners LLC, and the Marc Abramowitz  
 8 Charitable Trust No. 2 having moved for a protective order continuing the stay of discovery until  
 9 Plaintiff Palantir Technologies Inc. complies with Section 2019.210 of the California Code of Civil  
 10 Procedure, and the Court having considered the Motion and having found good cause for the relief  
 11 sought by the Motion;

12 **IT IS HEREBY ORDERED** this 4<sup>th</sup> day of September, 2018, that:

- 13 1. Defendants' Motion is GRANTED.
- 14 2. Palantir shall serve on Defendants a second amended disclosure that complies with  
 15 Section 2019.210 of the California Code of Civil Procedure.
- 16 3. Palantir's disclosure shall include the following information:
  - 17 a. The total number of alleged trade secrets.
  - 18 b. A reasonably particular description of each alleged trade secret as it existed at  
 19 Palantir prior to the alleged misappropriation. The Court finds that Palantir may  
 20 not describe a trade secret with reasonable particularity by quoting from or  
 21 citing to one of Defendants' patent applications. Although Palantir may cite to  
 22 its own patent applications, it is not enough to rely solely on citations from its  
 23 patent applications.
  - 24 c. For each alleged functional trade secret, a reasonably particular description of  
 25 how the alleged trade secret works—*i.e.*, how the alleged trade secret  
 26 accomplishes its function—and not a mere functional description of that alleged  
 27 trade secret.

1 d. A description of how each alleged trade secret is distinct from matters of general  
2 knowledge in the trade or of special knowledge of those persons who are skilled  
3 in the trade. The Court finds that the trade secret statement submitted by  
4 Palantir to be conclusory on the question of what precisely was not known to the  
5 public, and has not explained how its alleged trade secrets were novel, justifying  
6 more complete disclosure. (See *Perlan Therapeutics v. Superior Court* (2009)  
7 178 Cal.App.4th 1333, 1351.)

8 e. A statement of whether each alleged trade secret is a “compilation trade secret,”  
9 a “design concept,” a “method,” or some other category of trade secrets. .

10 i. To the extent Palantir claims that its alleged trade secrets are  
11 “compilation trade secrets,” Palantir shall disclose with reasonable  
12 particularity the features constituting those trade secrets. Palantir must  
13 disclose each component that composes the compilation trade secret with  
14 reasonable particularity.

15 4. Palantir shall not use non-exclusive terms (e.g., “including but not limited to”) to  
16 describe its alleged trade secrets.

17 5. Defendants shall, within fourteen days of receiving Palantir’s second amended trade  
18 secret disclosure, notify Palantir whether or not they accept the amended disclosure as  
19 complying with this Order and Section 2019.210 of the California Code of Civil  
20 Procedure.

21 6. In the event Defendants do not accept the second amended disclosure, the parties shall  
22 meet and confer promptly regarding the deficiencies identified by Defendants. In the  
23 event the parties cannot reach agreement, Palantir will arrange for an informal  
24 discovery conference between the Court and the parties, to be held at the convenience  
25 of the Court, regarding Defendants’ further motion for a protective order.

26 7. All discovery in the above-captioned action shall be stayed until the earlier of: (a)  
27 Defendants’ agreement that the second amended disclosure complies with Section  
28 2019.210 or (b) further order of the Court.

8. If Defendants accept or the Court finds that the second amended trade secret disclosure complies with Section 2019.210, then future amendments shall be permitted only upon a showing of good cause.

8/31/2018

Mary E. Arand

HONORABLE MARY ARAND  
JUDGE OF THE SUPERIOR COURT

## 1 STATE OF CALIFORNIA, COUNTY OF SANTA CLARA

2 I am employed in the County of Santa Clara, State of California. I am over the age of 18  
3 and not a party to the within action; my business address is 525 University Avenue, Palo Alto, CA  
94301; and my email address is [marilyn.garibaldi@skadden.com](mailto:marilyn.garibaldi@skadden.com).

4 On September 4, 2018, I caused to be served the following document(s) described as:

5 • **NOTICE OF ENTRY OF ORDER**6 on the interested parties in this action by placing a true copy thereon enclosed/attached in/to a  
sealed envelope/facsimile cover sheet addressed as follows:7 Via Email8 David Boies, Esq.  
9 BOIES, SCHILLER & FLEXNER LLP  
333 Main Street  
10 Armonk, NY 10504  
Telephone: (914) 749-8200  
11 Facsimile: (914) 749-8300  
Email: [dboies@bsflp.com](mailto:dboies@bsflp.com)12 David Zifkin, Esq.  
13 Shira Liu, Esq.  
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18 PALANTIR TECHNOLOGIES INC.

## Via Email

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[nathaniel.kritzer@kirkland.com](mailto:nathaniel.kritzer@kirkland.com)*Attorneys for Plaintiff,*  
PALANTIR TECHNOLOGIES INC.

19  (BY EMAIL) I am readily familiar with the firm's practice of email transmission; on this  
20 date, I caused the above-referenced document(s) to be transmitted by email as noted above  
and that the transmission was reported as complete and without error.

21  (BY E-FILING) I am readily familiar with the firm's practice of transmitting through the  
22 court's automated e-filing transmission of documents; on this date, I caused the above-  
referenced document(s) to be transmitted by e-filing same as noted above and that the  
transmission was reported as complete and without error.

23  (BY MAIL) I am readily familiar with the firm's practice for the collection and processing  
24 of correspondence for mailing with the United States Postal Service and the fact that the  
correspondence would be deposited with the United States Postal Service that same day in  
the ordinary course of business; on this date, the above-referenced correspondence was  
25 placed for deposit at Palo Alto, California and placed for collection and mailing following  
ordinary business practices. (AS NOTED)

26  (BY FEDERAL EXPRESS) I am readily familiar with the firm's practice for the daily  
27 collection and processing of correspondence for deliveries with the Federal Express  
delivery service and the fact that the correspondence would be deposited with  
28 Federal Express that same day in the ordinary course of business; on this date, the above-

1 referenced document was placed for deposit at Palo Alto, California and placed for  
2 collection and overnight delivery following ordinary business practices. (AS NOTED)

2  (BY PERSONAL SERVICE)

3  By personally delivering copies to the person served. (STATE/FEDERAL)

4  I delivered such envelope by hand to the offices of the addressee pursuant to  
CCP § 1011. (STATE/FEDERAL) (as noted)

5 [Name]

6  (STATE/FEDERAL) I declare under penalty of perjury under the laws of the State of  
7 California that the above is true and correct.

8  (FEDERAL) I declare that I am employed in the office of a member of the bar of this  
Court at whose direction the service was made.

9 Executed on September 4, 2018 at Palo Alto, California.

10 Marilyn Garibaldi

*Marilyn Garibaldi*

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